

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

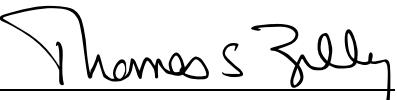
The Court, having reviewed defendants' motion for summary judgment, defendants' motion to dismiss Officer Carman, plaintiff's motion for preliminary injunction, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, plaintiff's objections thereto, and the balance of the record, does hereby ORDER:

- (1) The Court adopts the Report and Recommendation, docket no. 87.
- (2) Defendants' motion for summary judgment (Doc. #61) is GRANTED.
- (3) The complaint and this § 1983 action are DISMISSED with prejudice. This dismissal shall count as a "strike" under 28 U.S.C. § 1915(g).
- (4) Defendants' motion to dismiss Officer Carman (Doc. #46) is DENIED as moot.
- (5) Plaintiff's motion for preliminary injunction (Doc. #77) is DENIED.
- (6) Plaintiff's request for records, docket no. 89-2 (duplicate copy at docket no. 27), is DENIED. Discovery is now closed. Docket nos. 22 and 42.

ORDER DISMISSING § 1983 ACTION

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2 (7) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants,
3 and to Judge Donohue.
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DATED this 10th day of April, 2006.


5 Thomas S. Zilly
6 United States District Judge
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